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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,563	10/24/2003	Yu-Kai Han	17957-US-PA	7519

31561 7590 11/14/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

GUHARAY, KARABI

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/691,563	Applicant(s) HAN ET AL.	
	Examiner Karabi Guharay	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE, filed on 26 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 & 17-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 July 2006 has been entered.

Response to Amendment

Amendment, filed on 7/26/06 has been considered and entered.

Claims 1 & 17 are amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Hashimoto et al. (US 2040017152).

Regarding claims 22-23, Hashimoto et al. disclose an OLED panel comprising a substrate (1 of Fig 2 & Fig 8) made of glass, a first electrode (2) disposed on the substrate made of ITO and a pixel defining layer (10) with side walls substantially

perpendicular to the substrate (see Fig 7c) and at least one side wall having a pattern comprising pluralities of dot protrusions irregularly distributed (paragraph 36) disposed on the substrate an organic functional layer (4) disposed on the first electrode and a second electrode (cathode 5) disposed on the organic functional layer (see Paragraph 0006).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 & 17-21 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hashimoto et al. (US 2040017152).

Regarding claims 1-4 & 17, Hashimoto et al. disclose an OLED panel comprising a substrate (1 of Fig 2 & Fig 8) made of glass, a first electrode (2) disposed on the substrate made of ITO and a pixel defining layer (10) defining a plurality of pixel areas configured on the substrate having side walls disposed on the substrate the side walls having a pattern comprising irregularities (9, see Fig 7C) an organic functional layer (4) disposed on the first electrode and a second electrode (cathode 5) disposed on the organic functional layer (see Paragraph 0006). However, Hashimoto et al. do not explicitly teach a plurality of strips configured substantially parallel with the substrate.

However, Hashimoto et al. forms irregularities on the sidewall of the barriers to minimize internal attenuation of light. Forming irregularities in the form of wave strips, instead of convex type irregularities would have been obvious matter of design choice, which could be resulted by experimentation for minimizing the internal attenuation of light.

Regarding claims 7-8 & 20-21 Hashimoto et al. disclose a photosensitive resin, however is silent about the particular type of photo-sensitive resin, particularly polyimide resin or diazonaphtho-quinone-phenolic resin, which are well known photosensitive resin.

Thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to use polyimide or diazonaphtho-quinone-phenolic resin, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use. See MPEP 2144.07.

Response to Arguments

Applicant's arguments, filed on 7/26/06, with respect to rejection of amended claims 1-2 & 5 with the prior art of Asano have been fully considered and are persuasive. The rejections of claims 1-2 & 5 have been withdrawn.

Applicant's arguments filed on 7/26/06, regarding rejection of claims with Hashimoto et al. have been fully considered but they are not persuasive.

Applicant contends, in page 6 of the Remark, that Hashimoto fails to disclose the feature of claim 22 and 23. In support applicant recites that dot protrusions of

Hashimoto reference are irregularly distributed on the substrate but not on the side walls of the pixel defining layer 10.

However, in the paragraph 36 towards the end Hashimoto describes that uncovered portions of the substrate 1 are chipped off with first abrasive particle to form the groove with an average depth of 10 micron, the depth of the groove defines the height of the barrier 10 (Fig 7C), further, Hashimoto in paragraph 36 recites “ **bottom and side of the groove is chipped of with second abrasive particles**” the side of the groove is the side of the barrier 10, thus side walls of the barrier 10 is formed of irregularities, further since irregularities and barrier are formed simultaneously barrier is a part of the substrate and it is formed of chipping the substrate side walls of barrier 10 is not smooth surface clearly shown In Fig 7C & 7D.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is 571-272-2452. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Karabi Guharay
Primary Examiner
Art Unit 2879